

REMARKS

Claims 1-6 and 25-36 are now pending in the application. Claim 32 is currently amended. No claims are cancelled or newly added by this amendment. The Examiner is respectfully requested to reconsider and withdraw the rejection in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claim 32 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Bendinelli (U.S. Pat. No. 6,631,416; "Bendinelli") and further in view of Donaghey (U.S. Pat. No. 7,106,747; "Donaghey"). This rejection is respectfully traversed.

Regarding the Examiner's assertion on page 2, penultimate paragraph of the Office Action, col. 30, lines 22-29 of Bendinelli merely disclose the following matters.

i) Network operations center periodically receives through a control path monitoring information from a first gateway 660, such as the number of active tunnels, up/down times for each tunnel, and ping time between tunnels (i.e., latency).

ii) The monitoring information may be exchanged using XML files.

iii) When the control path is activated (step 1096), the first gateway 650 may notify each of the other gateways that are listed on its partner list.

In this way, col. 30, lines 22-29 of Bendinelli do not even mention packets and switching information, let alone disclose or suggest the limitations recited in amended Claim 32, such as the limitation that a plurality of pieces of switching information are affixed to a received packet; the limitation that the plurality of pieces of switching information are arranged in a transfer path order so as to correspond to router

apparatuses which are arranged in a path from the core router apparatus itself to a network indicated by a destination address of the received packet; or the limitation that the received packet is switched based on the top piece of the switching information affixed to the received packet.

In view of the Examiner's assertion on page 3, first paragraph of the Office Action, Claim 32 has been amended so as to recite the following limitations.

- a) A plurality of pieces of switching information are affixed to a received packet.
- b) The core router apparatus switches the received packet based on the top piece of the switching information.
- c) The plurality of pieces of switching information are arranged in a transfer order so as to correspond to router apparatuses which are arranged in a path from the core router apparatus itself to a network indicated by a destination address of the received packet.
- d) The core router apparatus deletes the top piece of the switching information.
- e) As a result of the deletion of the top piece of the switching information, the next piece of the switching information becomes the top piece of the switching information.
- f) The next piece of the switching information is used in the switching by a router apparatus which is adjacent to the core router apparatus itself.
- g) The core router apparatus transmits the switched received packet to which the plurality of pieces of switching information other than the top piece of the switching information used by the core router apparatus itself are affixed.

Support for these amendments can be found, for example, in the recitations on page 38, sixth and seventh paragraphs, page 40, third paragraph, page 41, third paragraph to page 42, first paragraph, and page 42, last paragraph to page 43, first paragraph of the specification, and FIGS. 14 and 15 of the present application.

With the foregoing limitations, when the top piece of switching information is deleted, the next (i.e., the second) piece of the switching information becomes the top piece of the switching information. Here, the next piece of the switching information is used in the switching by a router apparatus which is adjacent to the core router apparatus itself (i.e., another core router apparatus or an edge router apparatus). Therefore, the router apparatus which is adjacent to the core router apparatus itself can perform the switching using the top piece of the switching information affixed to a received packet. As a result, the invention as recited in Claim 32 (hereinafter referred to as "the present invention") can provide the advantageous effect that it is possible to reduce the processing load on the router apparatus which is adjacent to the core router apparatus itself.

In contrast, Bendinelli and Donaghey fail to disclose or suggest the foregoing limitations of the present invention. Therefore, the advantageous effect of the present invention cannot be obtained from Bendinelli, Donaghey, or a combination thereof. Since the present invention would not have been obvious from Bendinelli in view of Donaghey, Applicant respectfully requests reconsideration and withdrawal of the rejection.

ALLOWABLE SUBJECT MATTER

Applicant acknowledges that the Examiner has allowed claims 1-6, 25-31 and 33-36.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: December 30 , 2009

By: /Gregory A. Stobbs/_____
Gregory A. Stobbs
Reg. No. 28,764

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

GAS/dec

15243613.1